

JAN 30 2006



smith &amp; hopen, p.a.

15950 Bay Vista Drive, Suite 220  
Clearwater, Florida 33760  
727.507.8558 Tel  
727.507.8668 Fax  
www.baypatents.com

Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Matthew J. Kohner, Art Unit: 3653	Client:	1130.32
Fax:	(571) 273-8300	Pages:	10 including coversheet
Phone:	(571) 272-6939	Date:	January 30, 2006
Re:	USN: 10/708,612	CC:	Todd C. Werner

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Kohner:

In response to the non-final office action mailed December 15, 2005, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 30, 2006 (2 pages); and
- 2) Amendment B with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 30, 2006 (7 pages).

Very respectfully,

Ronald E. Smith  
USPTO Reg. No. 28,761

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

JAN 30 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/708,612 Confirmation No.: 2611  
Applicant: : Todd C. Werner  
Filed: : 03/15/2004  
Art Unit : 3653  
Examiner : Matthew J. Kohner

Docket No. : 1130.32  
Customer No. : 21,901  
For : Rocker Plate for Separating Sheets

Transmitted to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicants are independent inventors.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

---

**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Amendments to the Claims and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Attn: Matthew J. Kohner, Art Unit 3653, (571) 273-8300, on January 30, 2006.

Dated: January 30, 2006

---

April Turley

(Amendment Transmittal - Page 1 of 2)

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	5	Minus	20	= 0	x \$25 =	\$0
Indep.	2	Minus	3	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
					Total Addit. Fee	\$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 28,761  
Tel. No.: (727) 507-8558

Ronald E. Smith  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760

(Amendment Transmittal - Page 2 of 2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/708,612  
Applicant: : Todd C. Werner  
Filed: : 03/15/2004  
TC/A.U. : 3653  
Examiner : Matthew J. Kohner

Confirmation No.: 2611

**RECEIVED  
CENTRAL FAX CENTER****JAN 30 2006**

Docket No. : 1130.32  
Customer No. : 21,901  
For : Rocker Plate for Separating Sheets

Faxed to Technology Center 3600 at (703) 872-9306  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT B****Introductory Comments**

Sir:

In response to the Examiner's Action mailed 12/15/2005, having a shortened statutory period for response set to expire 03/15/2006, the above-identified patent application is amended a second time as follows:

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.